

STATEMENT OF BASIS (AI No. 43508)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0094200 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Terminal Stevedores, Inc.
GSM-100 Century Derrick Crane Rig
Post Office Box 120
Ama, Louisiana 70031

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: March 29, 2010

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits – LA0094200
LPDES permit effective date: June 1, 2005
LPDES permit expiration date: May 31, 2010

C. Date Application Received: September 28, 2009

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - mobile midstream dry bulk transfer facility

Terminal Stevedores, Inc., GSM-100 Century Derrick Crane Rig is an existing mobile midstream dry bulk transfer facility. Barge tops are lifted and grain is transferred from the barges to grain elevators. (See Attachment 1 for a list of commodities to be handled at the facility.) The facility operates between Mississippi River Miles 110 and 155. Barges are broom swept then Mississippi River water is used to washdown the barges. The facility does not discharge ballast or sanitary wastewater.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I (BPJ from II to I and 0 points based on similar facilities)
3. Wastewater Type: II
4. SIC code: 4911

C. LOCATION - operating between Mississippi River Miles 110 and 155, Plaquemines, St. Bernard, Orleans, Jefferson, St. Charles, St. John the Baptist, and St. James Parishes

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: derrick crane barge washdown water
Treatment: none
Location: at the point of discharge from the vessel being washed prior to combining
with other waters
Flow: intermittent
Discharge Route: Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

5. TMDL STATUS

The discharges from Terminal Stevedores, Inc. are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. CHANGES FROM PREVIOUS PERMIT

- The operating location has been changed from Mississippi River Miles 114 and 142 to Mississippi River Miles 110 to 155.

7. COMPLIANCE HISTORY/COMMENTS

A. Inspections:

There have been no recent inspections at the facility.

B. Enforcement Actions (COs, NOVs, Warning Letters, etc.):

N/A

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C. DMRs:

No DMR's were submitted as they are not required to be submitted as per the current permit.

D. Company Compliance History:

N/A

E. Permit Actions Taken:

Based on the above history, this facility was referred to the Surveillance Division on April 30, 2010, for further review. Please note that this is a referral only.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

8. EXISTING EFFLUENT LIMITS

Outfall 001 – derrick crane barge washdown water

No effluent limitations were established for rig washwater and stormwater runoff. Best Management Practices (BMPs) for barge operations were included in Part II.

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated January 5, 2010, from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the

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Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Terminal Stevedores, Inc.

1. Outfall 001: dry commodity vessel washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: (See Attachment 1 for a list of commodities.) Best Management Practices (BMPs) for barge operations are listed in Part II.

Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Codes 4911 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.

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Attachment 1

 Corn
 Soybean
 Soybean meal
 Beet pellets
 Dried grain
 Cotton hull pellets
 Sorghum
 Wheat
 Corn gluten seed pellets
 Sunflower meal pellets
 Soybean hull pellets
 Rice bran pellets
 Malt sprout pellets